

P 11304

**STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD**

DIVISION OF WATER RIGHTS

ORDER

Application 16212 Permit 11304

**ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT**

WHEREAS:

1. Permit 11304 was issued to Georgetown Divide Public Utility District on March 18, 1958, pursuant to Application 16212.
2. A petition for an extension of time to develop and place water to beneficial use was filed with the State Water Resources Control Board (SWRCB) on August 19, 1996.
3. The SWRCB has determined that the petition for an extension of time does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. Permittee's development and operation of the Stumpy Meadow Project require amendment of the language in Permit Term 8 with respect to the location of the sites for monitoring flows.
5. Permittee claims entitlement to water used in the project under water rights other than those covered by permits or licenses. A permit condition that reflects the potential duplication of existing rights should be added.
6. Fish, wildlife, and plant species have been or may be listed under the federal Endangered Species Act and/or the California Endangered Species Act. A term should be placed in the permit making the permittee aware of possible obligations resulting from these acts.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The development schedule of Permit 11304 is amended to read as follows:

Complete application of water to the authorized use shall be made by
December 31, 2010.

(0000009)

2. Paragraph 8 of Permit 11304 is amended to read as follows:

Permittee shall maintain a daily record of inflow and outflow from the reservoir operated under this permit. The Pilot Creek flow measurements shall be obtained from USGS Gage Station No. 11431800 upstream of the reservoir and downstream at USGS Gage Station No. 11433040. Permittee shall also maintain a daily record of volumes in storage and water surface elevations in the reservoir.

During the snow season of November through April of the succeeding year when permittee's personnel would be placed at physical risk to collect said measurements, the daily reservoir storage volume and water surface elevation can be interpolated from data obtained by its current measurement program. After the snow season, permittee shall record weekly readings of the reservoir surface elevation and interpolate the data into a daily reservoir volume and elevation record.

Permittee shall provide and maintain such measuring facilities as may be necessary for this purpose. Permittee shall make said records of inflow, outflow, and fluctuations of the volume in storage and water surface elevations of the reservoir available to the SWRCB and shall allow representatives of the SWRCB access to the project works and properties for the purpose of securing supplemental information.
(0070999)

3. Paragraph 9 of Permit 11304 is amended to read as follows:

For the purpose of maintaining fish life, permittee shall bypass down the natural stream channel of the streams involved in this permit, flows recommended by the Department of Fish and Game in Exhibit No. 15 of the 1956 Hearing for Applications 12140, 12421, 16212, and 16688. The bypass reads as follows:

PILOT CREEK IN THE SECTION OF STREAM UPSTREAM OF STUMPY MEADOWS RESERVOIR AND BETWEEN STUMPY MEADOWS RESERVOIR AND THE PILOT CREEK DIVERSION DAM:

- (a) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be 1,500,000 acre-feet or more for the current water year: four cubic feet per second (cfs), or the natural flow between two and four cfs when the natural flow is less than four cfs.
- (b) Following a prediction* that the unimpaired runoff of the American River at Fair Oaks will be less than 1,500,000 acre-feet for the current water year: not less than two cfs.
- (c) The minimum release of water, from the beginning of each water year (October 1) until the 1st available prediction*, following February 1st, shall be four cfs, or the natural flow between two and four cfs when the natural flow is less than four cfs.